

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

-----x

In re:

PROMESA

Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO, *et al.*, (Jointly Administered)

Debtors.¹

-----x

-----x

Puerto Rico Public Finance Corporation,

PROMESA

Title VI

Applicant.

Case No. 22-cv-1517 (LTS)

-----x

**INFORMATIVE MOTION OF FINANCIAL
OVERSIGHT AND MANAGEMENT BOARD REGARDING
TITLE VI APPROVAL HEARING FOR THE PUERTO RICO PUBLIC
FINANCE CORPORATION AND DECEMBER 14-15, 2022 OMNIBUS HEARING**

To the Honorable United States District Judge Laura Taylor Swain:

Pursuant to the Court's *Order Regarding Procedures for Title VI Approval Hearing for the Puerto Rico Public Finance Corporation and December 14–15, 2022 Omnibus Hearing* [Case No. 17-3283, ECF No. 22907], the Financial Oversight and Management Board for Puerto Rico (the

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

“Oversight Board”), as sole Title III representative of the Debtors pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² and as Administrative Supervisor of the Puerto Rico Public Finance Corporation pursuant to Section 601(a)(1) of PROMESA, respectfully states as follows:

1. The following parties will appear in-person on behalf of the Oversight Board in connection with the December Omnibus Hearing: (i) Martin J. Bienenstock, mbienenstock@proskauer.com; (ii) Brian S. Rosen, brosen@proskauer.com; and (iii) Libbie B. Osaben, losaben@proskauer.com of Proskauer Rose LLP.
2. The following parties will appear in-person on behalf of the Oversight Board in connection with the Qualifying Modification Hearing for the Puerto Rico Public Finance Corporation: (i) Brian S. Rosen, brosen@proskauer.com; (ii) Steve Y. Ma, sma@proskauer.com; and (iii) Libbie B. Osaben, losaben@proskauer.com of Proskauer Rose LLP.
3. Martin J. Bienenstock, Brian S. Rosen, Steve Y. Ma, and Libbie B. Osaben reserve the right to be heard on any matter presented to the Court and to respond to any statements made by any party in connection with the above-captioned Title III cases or Title VI case to the extent it impacts the interests of the Oversight Board or any of the Debtors in these Title III cases or Title VI case.

[Remainder of page intentionally left blank]

² PROMESA has been codified at 48 U.S.C. §§ 2101–2241.

WHEREFORE, the parties respectfully request that the Court take notice of the foregoing.

Dated: December 7, 2022
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock
Martin J. Bienenstock
Brian S. Rosen
Paul V. Possinger
Ehud Barak
(Admission *pro hac vice*)
PROSKAUER ROSE LLP
Eleven Times Square
New York, NY 10036
Tel: (212) 969-3000
Fax: (212) 969-2900

Attorneys for the Financial Oversight and Management Board as representative for the Debtors

/s/ Hermann D. Bauer
Hermann D. Bauer
USDC No. 215205
O'NEILL & BORGES LLC
250 Muñoz Rivera Ave., Suite 800
San Juan, PR 00918-1813
Tel: (787) 764-8181
Fax: (787) 753-8944

Co-Attorneys for the Financial Oversight and Management Board as representative for the Debtors

EXHIBIT A

PARTY APPEARANCE SHEET

EXHIBIT A

PARTY APPEARANCE SHEET

Name of Party	Financial Oversight and Management Board for Puerto Rico	
ATTORNEY 1	Appearance Method	In-Person PR, Omnibus Hearing
	Name	Martin J. Bienenstock
	Law Firm	Proskauer Rose LLP
	Email	mbienenstock@proskauer.com
	Phone Number	212-969-4530
	Docket Entry No. of Notice of Appearance	Docket Entry No. 90
ATTORNEY 2	Appearance Method	In-Person PR, Both Hearings
	Name	Brian S. Rosen
	Law Firm	Proskauer Rose LLP
	Email	brosen@proskauer.com
	Phone Number	212-969-3380
	Docket Entry No. of Notice of Appearance	Docket Entry No. 1902
ATTORNEY 3	Appearance Method	In-Person PR, Qualifying Modification Hearing
	Name	Steve Y. Ma
	Law Firm	Proskauer Rose LLP
	Email	sma@proskauer.com
	Phone Number	973-681-6327
	Docket Entry No. of Notice of Appearance	Docket Entry No. 4708
ATTORNEY 4	Appearance Method	In-Person PR, Both Hearings
	Name	Libbie B. Osaben
	Law Firm	Proskauer Rose LLP
	Email	losaben@proskauer.com
	Phone Number	312-962-3571
	Docket Entry No. of Notice of Appearance	Docket Entry No. 21661

EXHIBIT B

WITNESS COVER SHEET

EXHIBIT B
PARTY WITNESS COVER SHEET

Name of Party	Financial Oversight and Management Board for Puerto Rico (the “ <u>Oversight Board</u> ”), as Administrative Supervisor for the Puerto Rico Public Finance Corporation
Does the Party intend to offer a witness?	Yes
Total Number of Witnesses	1

Witness Name	Expert or Fact Witness	Is interpreter required? (Proponent of witness must provide certified interpreter)	Scope of Testimony or Cross-Examination
Christina Pullo	Fact Witness	No	Testimony regarding the solicitation and tabulation of votes cast to accept or reject the <i>Qualifying Modification Pursuant to PROMESA Title VI for the Puerto Rico Public Finance Corporation</i> .

EXHIBIT C

EXHIBIT COVER SHEET

EXHIBIT C
PARTY EXHIBIT COVER SHEET¹

Name of Party	Financial Oversight and Management Board for Puerto Rico (the “ <u>Oversight Board</u> ”), as Administrative Supervisor for the Puerto Rico Public Finance Corporation.
Does the Party intend to offer evidence?	Yes
Docket Entry No. for Party Exhibit List	Docket Entry No. 38 in Case No. 22-01517 ²

Exhibit Identifier	Docket Entry No. of Exhibit	Is there a pending request to seal this Exhibit?
FOMB Ex. 1	Docket Entry No. 38-1	No
FOMB Ex. 2	Docket Entry No. 38-2	No
FOMB Ex. 3	Docket Entry No. 38-3	No
FOMB Ex. 4	Docket Entry No. 38-4	No
FOMB Ex. 5	Docket Entry No. 38-5	No
FOMB Ex. 6	Docket Entry No. 38-6	No
FOMB Ex. 7	Docket Entry No. 38-7	No
FOMB Ex. 8	Docket Entry No. 38-8	No
FOMB Ex. 9	Docket Entry No. 38-9	No
FOMB Ex. 10	Docket Entry No. 38-10	No
FOMB Ex. 11	Docket Entry No. 38-11	No
FOMB Ex. 12	Docket Entry No. 38-12	No
FOMB Ex. 13	Docket Entry No. 38-13	No
FOMB Ex. 14	Docket Entry No. 38-14	No

¹ The Oversight Board reserves all rights, including the right to revise, amend, and/or supplement this list.

² All Docket Entry Nos. shall refer to the docket in Case No. 22-01517.

Exhibit Identifier	Docket Entry No. of Exhibit	Is there a pending request to seal this Exhibit?
FOMB Ex. 15	Docket Entry No. 38-15	No
FOMB Ex. 16	Docket Entry No. 38-16	No
FOMB Ex. 17	Docket Entry No. 38-17	No
FOMB Ex. 18	Docket Entry No. 38-18	No
FOMB Ex. 19	Docket Entry No. 38-19	No
Pursuant to Bankruptcy Local Rule 9037-1(a), parties and counsel are solely responsible for redacting the personal identifiers enumerated in Fed. R. Bank. P. 9037(a).		